



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	LJ-200208870
EVALUATOR:	Ms. Kaaren Geter
PHONE NO.:	(601) 631-5162
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	December 3, 2003
EXPIRATION DATE:	December 24, 2003

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District proposes to discharge dredged and fill material into waters of the United States pursuant to Section 404 of the Clean Water Act for the proposed construction described herein. The State of Mississippi is considering the Corps' application for a State Water Quality Certification for the proposed discharges. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Location of Work: Section 36, T15N-R2E, latitude 33°6'24.2081' longitude 90°2'37.6725', within the Yazoo River drainage basin, Holmes County, near Lexington, Mississippi.

Description of Work: (See enclosed map and drawings.)

The U.S. Army Corps of Engineers, Vicksburg District, proposes to construct a new channel, improve portions of the existing channel, and construct new levees along Black Creek at Lexington, Mississippi.

The purpose of the proposed project is to alleviate flooding of Lexington and provide additional sediment management in the Black Creek Watershed. During periods of extended rainfall Black Creek can rise in excess of 20 feet and overflow the banks. The creek returns to normal flows within one or two days following a flood. Adjacent houses, apartments, and businesses have been flooded during recurring events over the past 10 years. The project is a feature of the Black Creek Watershed DEC Project (Y-36D) and part of the overall Yazoo Basin DEC Project. The Black Creek Watershed DEC Project includes watershed protection, flood prevention, and agricultural and non-agricultural water management.

The proposed flood control project would involve approximately 3.17 miles of channel work and levee construction. The COE proposes to realign 7,079 feet of channel, enlarge 7,209 feet of channel, construct four gated box culverts, two pipe structures, and place R200 and R400 stone for bank stabilization. The project site consists of a total of 190 acres, of which 26.92 acres are wet and 12,968 linear feet of other waters of the United States including Black Creek and 3 of 11 adjoining tributaries. The project would impact approximately 16.2 acres of wetlands, 12,584 linear feet of Black Creek and 384 linear feet of adjoining tributaries. The wetland acreage to be impacted is made up of the 2.47 acres along the cut-off channel of Black Creek, 2.03 acres along enlarged portions of Black Creek, and 11.7 acres for new channel and levee construction.

Approximately 5,375 linear feet of Black Creek would be cut-off from the existing main channel. A gated water diversion structure would be included in the project design to keep flow in the cutoff channel of Black Creek to minimize impacts to fisheries, terrestrial habitat, wetlands, and water quality. Fill would be placed in two areas equaling 135 feet of the cut-off creek for levee placement then 865 feet of ditching would reconnect the cut-off portions of the creek.

A new channel would be placed south of the cut-off channel. The new channel would be 7,079 feet in length and 40 feet wide. New levee construction would cover 3.17 miles.

Channel enlargement would be performed on two sections of Black Creek adjoining the new channel totaling 7,209 linear feet. Two permanent riffle zones would be created, one upstream and one downstream of the new channel at the outer areas of the enlarged channels. Approximately 2.03 acres of wetland fringe habitat within the banks of Black Creek would be lost due to bank clearing. Clearing would take place on one side of the channel to be enlarged.

Dominant vegetation in the project area consisted of tree species: black willow, cypress, sugarberry, sweetgum, cottonwood, sycamore, green ash, loblolly pine, American elm, river birch, box elder, water oak, and willow oak. Sapling/shrub species include hedge-privit, grape, green-briar, poison ivy, and trumpet creeper. Herb species include sedge, golden rod, blackberry, cane, Johnson grass, Canada wildrye, ragweed, and honey suckle.

Nineteen species of fish were observed in the project area. Dominant families consisted of minnows and sunfishes. Dominant species observed were bluntface shiner, Yazoo shiner,

blackspotted topminnow, bullhead minnow, striped shiner, Johnny darter, bluegill, longear sunfish, and brindled madtom. No indication of mussels was found within the study area.

Two existing Cockfield Formation riffles located north of Highway 12 are approximately 30 feet and 100 feet in length. Channel modifications would include reconstruction of the two riffle zones with rock.

A total of 130 acres of restoration is proposed to mitigate for adverse project impacts. Restoration of agricultural land with bottomland hardwood species would be located on a site adjacent to Hillside National Wildlife Refuge, within the Yazoo River drainage basin, Holmes County, Mississippi. Management of the mitigation land would be transferred to the refuge.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and levee construction requires authorization pursuant to the Clean Water Act.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: Application has been made for a water quality certification from the State of Mississippi in accordance with Section 401 of the Clean Water Act.

Project Authority: The Emergency Jobs Appropriations Act of 1983 (Public Law 98-8) provided the initial authorization of the Demonstration Erosion Control Project. The Energy and Water Development Appropriations Act of 1984 (Public Law 98-50) and subsequent acts further directed the joint effort by the Corps and Natural Resources Conservation Service within the foothills of the Yazoo Basin. The authorizing legislation directed the two agencies to work cooperatively toward the continuation of erosion, flood, and sediment control in the Yazoo Basin Hill Region.

Environmental Assessment: A draft environmental assessment is available at the Vicksburg District for public review.

Cultural Resources: The U.S. Army Corps of Engineers, Vicksburg District will initiate a Phase I Cultural Resources Survey in

the areas of potential effects prior to construction. The Mississippi State Historic Preservation Office and the District's eight Federally recognized Indian Tribes were provided a request for information regarding religious and culturally significant properties and no comments have been received to date. Upon completion of the Cultural Resources Survey effects and impacts identified within the area of potential effect would be conducted and coordinated with the Mississippi State Historic Preservation Office, Federally recognized tribes, and other identified stakeholders.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Public Participation: All factors relating to the affected aquatic ecosystem, which may be relevant to the proposal, will be considered and evaluated in light of guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

The decision whether or not to allow the construction of the project will be based upon an evaluation of the probable impact, of the proposed discharge of dredged material into waters of the United States. That decision will reflect the national concern for both protection and utilization of water-related resources. The benefits that may reasonably be expected to accrue from the proposal must be balanced against its reasonable foreseeable detriments.

Any person may make a written request for a public hearing to consider this proposal. This request must be made by the specified public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in the matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.


Dennis Norris
Chief, Operations Division

Project Site

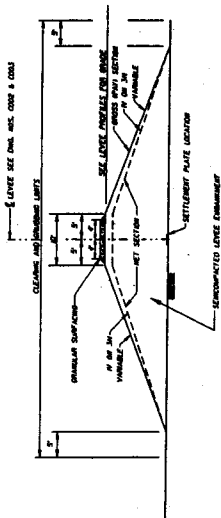


Project Site

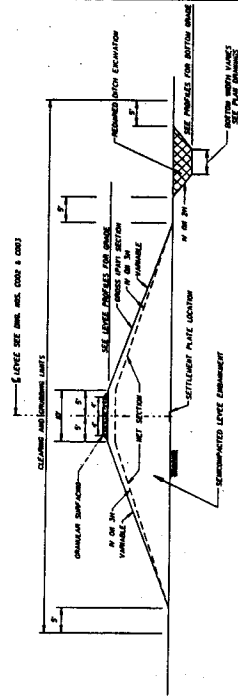
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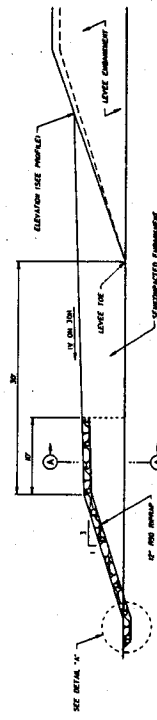
DATE



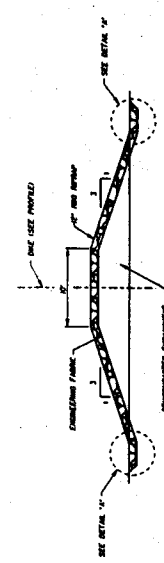
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SCALE: NONE



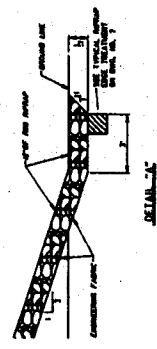
TYPICAL LEVEE SECTION WITH LANDSIDE DITCH
SCALE: NONE



TYPICAL CROSS SECTION WITH SPUR DIKE

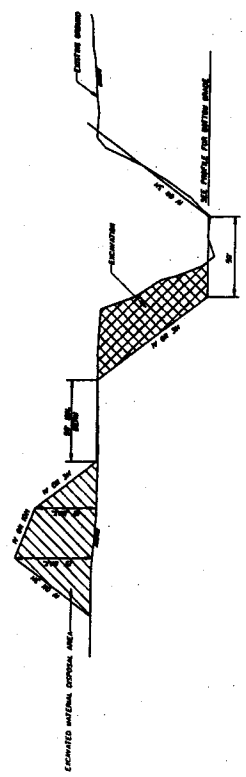


SECTION A-A

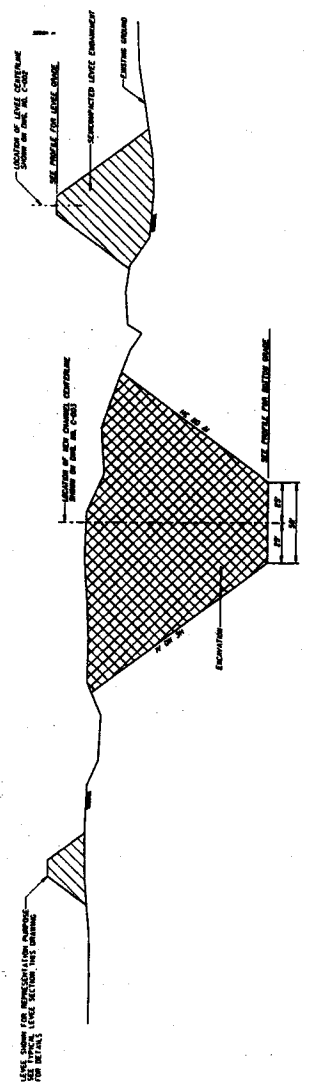


DETAILS

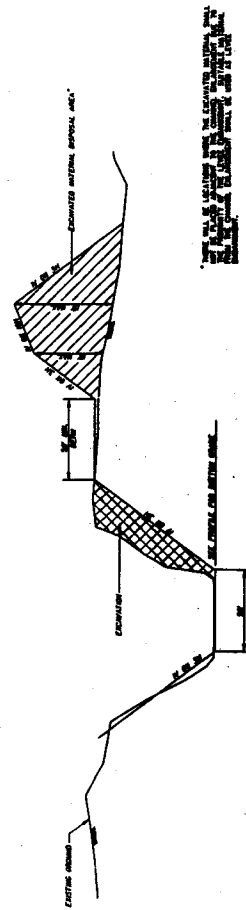
DIRE LOCATIONS
RIGHT BANK LEVEL 3
9-00
11-00
14-00
17-00
20-00
23-00
26-00
29-00
32-00



CH. STA. 91+00 TO CH. STA. 142+48
TYPICAL CROSS SECTION
CHANNEL ENLARGEMENT
SCALE: NONE

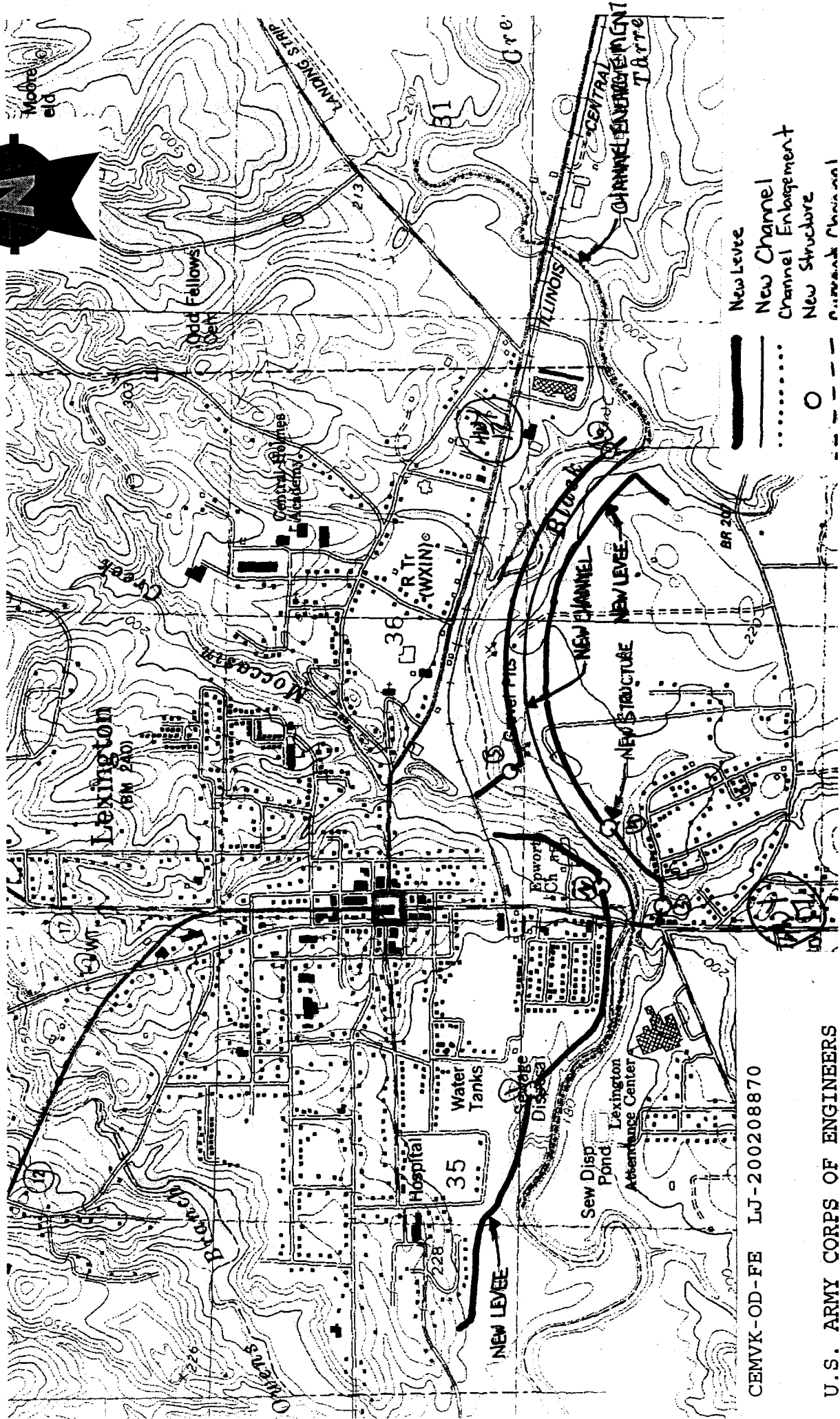
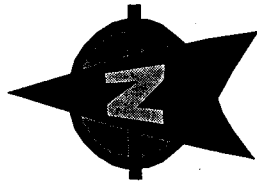


CH. STA. 22+49 TO CH. STA. 91+00
TYPICAL CROSS SECTION
NEW CHANNEL
SCALE: NONE



CH. STA. 0+00 TO CH. STA. 22+49
TYPICAL CROSS SECTION
CHANNEL ENLARGEMENT
SCALE 1"=20'

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.



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